

41051.P004



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent
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In re Patent Application of:)
ERIC ENGSTROM)
Application No.: 10/087,098)
Filed: March 1, 2002)
For: PERSONALIZING ELECTRONIC)
DEVICES AND SMART COVERING)

Commissioner for Patents
Washington, D.C. 20231

Examiner: Not Yet Assigned

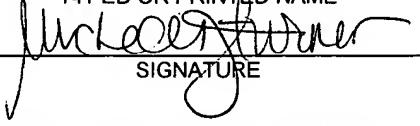
Group Art Unit: 2681

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date:

May 20, 2002

DATE

Michelle J. Turner
TYPED OR PRINTED NAME


SIGNATURE

PETITION TO MAKE SPECIAL IN ACCORDANCE WITH 37 CFR 1.102(D) –
ACCELERATED EXAMINATION

05/24/2002 AOSMAN1 0000006 10087098

01 FC:122 130.00 OP

Sir:

Applicant hereby petitions to have the above-captioned application assigned "special" status in accordance with 37 CFR 1.102(D).

1. ACCOMPANYING MATERIAL

In accordance with 37 CFR 1.102(d) accompanying this Petition is:

- (a) A copy of the claims presented for examination – As amended by *Preliminary Amendment submitted on April 30, 2002*;
- (b) A Statement that a pre-examination search was made;
- (c) PTO Form 1449 listing each reference deemed most closely related to the subject matter encompassed by the enclosed claims as well as one copy of each reference listed in PTO form 1449; and
- (d) A discussion of the reference(s) listed in PTO form 1449 pointing out how

the claimed subject matter is patentable over the cited references.

2. FEES

Applicant additionally includes herein a check in the amount of \$130.00, in accordance with 37 C.F.R. §1.17(i) to cover the petition fee.

Please charge any shortages and credit any overages to our Deposit Account No. 501569

Respectfully submitted,
COLUMBIA IP LAW GROUP, PC

Date: 5/20/02

by:


Jason K. Klindtworth
Reg. No.: 47,211

10260 SW Greenburg Rd.
Suite 820
Portland, OR 97223
Phone: (503) 595-2800

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CLAIMS PRESENTED FOR EXAMINATION
IN SUPPORT OF PETITION TO MAKE SPECIAL
IN ACCORDANCE WITH 37 CFR 1.102(D) - ACCELERATED EXAMINATION

Sir:

The following claims are presented for Examination and reflect claim amendments submitted by Applicant in a Preliminary Amendment dated April 30, 2002:

60.(New) A mobile phone comprising:

a body including a processor to execute one or more programming instructions;
an interchangeable cover associated with a selected one of a plurality of themes and designed to at least partially cover the body;
an electronic component embedded within the interchangeable cover, and having thematic data stored therein for customizing behavioral aspects of the mobile phone in accordance with the selected theme;
first contacting means coupled to the body; and
second contacting means coupled to the interchangeable cover, which when

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engaged with the first contacting means facilitates exchange of the data stored within the electronic component with the body to tailor the operation of the mobile phone in based upon the selected theme.

61. (New) The mobile phone of claim 60, wherein the electronic component identifies to the body, which of a group of interchangeable coverings the corresponding interchangeable cover is a member of.

62. (New) The mobile phone of claim 61, wherein each member of a given group of interchangeable coverings provides thematic operation in accordance with a shared theme.

63. (New) The mobile phone of claim 60, wherein the interchangeable cover is a selected one from a covering group comprising at least one of an interchangeable rigid faceplate and an interchangeable skin, each having a surface design to be complemented by said tailored thematic operation.

64. (New) The mobile phone of claim 63, wherein said interchangeable cover engages said body by way of a selected one of a contact coupler and a contactless coupler.

65. (New) The mobile phone of claim 63, wherein the data exchanged comprises at least one of a name, a phone number, a resource server specification, an email address, an electronic coupon, a font style, an identifier identifying the interchangeable cover, and an approval code.

66. (New) The mobile phone of claim 63, wherein the data exchanged comprises an audio data file to complement the theme associated with the interchangeable cover.

67. (New) The mobile phone of claim 66, wherein the audio data file facilitates modification of a default voice greeting of the mobile phone.

68. (New) The mobile phone of claim 66, wherein the audio data file facilitates modification of ring tones of the mobile phone.

69. (New) The mobile phone of claim 63, wherein the data exchanged comprises a video data file to complement the theme associated with the interchangeable cover.

70. (New) A mobile phone comprising:

 a body portion including a processor to execute one or more programming instructions;

 an interchangeable cover portion having an electronic component embedded therein, said electronic component containing data associated with a selected one of a plurality of themes stored therein; and

 an interface to facilitate exchange of the thematic data between the interchangeable cover and the processor to customize one or more operational aspects of the mobile phone in accordance with the selected theme.

71. (New) The mobile phone of claim 70, wherein the electronic component identifies to the body portion, which of a group of interchangeable coverings the corresponding interchangeable cover portion is a member of.

72. (New) The mobile phone of claim 71, wherein each member of a given group of interchangeable coverings provides thematic operation in accordance with a shared theme.

73. (New) The mobile phone of claim 70, wherein the interchangeable cover portion is a selected one from a covering group comprising at least one of an interchangeable rigid faceplate and an interchangeable skin, each having a surface design to be complemented by said tailored thematic operation.

74. (New) The mobile phone of claim 73, wherein the data exchanged comprises at least one of an audio data file and a video data file.

75. (New) A mobile phone comprising:

a body; and

an interchangeable covering including an electronic component having data encoded therein, the interchangeable covering being removably engaged with the body to facilitate exchange of data between the body and the electronic component resulting in tailored thematic operation of the mobile phone based at least in part upon the encoded data.

76. (New) The mobile phone of claim 75, wherein the electronic component identifies to the body, which of a group of interchangeable coverings the corresponding interchangeable cover is a member of.

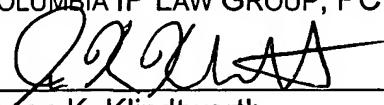
77. (New) The mobile phone of claim 76, wherein each member of a given group of interchangeable coverings provides thematic operation in accordance with a shared theme.

78. (New) The mobile phone of claim 75, wherein the interchangeable covering is a selected one from a covering group comprising at least one of an interchangeable rigid faceplate and an interchangeable skin, each having a surface design to be complemented by said tailored thematic operation.

79. (New) The mobile phone of claim 78, wherein the data exchanged comprises at least one of an audio data file and a video data file.

Respectfully submitted,
COLUMBIA IP LAW GROUP, PC

Date: 5/20/02

by: 
Jason K. Klindtworth
Reg. No.: 47,211

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Suite 820
Portland, OR 97223
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STATEMENT IN SUPPORT OF PETITION TO MAKE SPECIAL
IN ACCORDANCE WITH 37 CFR 1.102(D) - ACCELERATED EXAMINATION

Sir:

Applicant hereby states that a pre-examination search was conducted in association with the above-captioned application. The Field of Search included the following Classes and Subclasses:

<u>CLASS</u>	<u>SUBCLASS</u>
379	433.01, 433.04, 433.11, 433.1 433.09 and 451
455	90, 556, 557, 567 and 575

Additionally, Examiners Chang (Art Unit 2643) and To (Art Unit 2682) were consulted in regard to the above Field of Search.

Applicant has included herewith PTO Form 1449 listing each reference *deemed not cumulative and most closely related* to the subject matter encompassed by the accompanying claims presented for Examination, as well as one copy of each of the references listed in PTO Form 1449.

Respectfully submitted,
COLUMBIA IP LAW GROUP, PC

Date: 5/20/02

by:



JK Klindt

Jason K. Klindtworth
Reg. No.: 47,211

10260 SW Greenburg Rd.
Suite 820
Portland, OR 97223
Phone: (503) 595-2800



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DISCUSSION IN SUPPORT OF PETITION TO MAKE SPECIAL
IN ACCORDANCE WITH 37 CFR 1.102(D) - ACCELERATED EXAMINATION

Sir:

Of the references identified in the pre-examination search performed in association with the accompanying Petition To Make Special, Applicant deems the following five references (as cited in accompanying PTO Form 1449) to be most closely related to the subject matter encompassed by the enclosed claims: 1) USP 5,257,414 issued to Trahan et al. (hereinafter "TRAHAN"); 2) USP 5,436,969 issued to Kobayashi (hereinafter "KOBAYASHI"); 3) USP 5,745,566 issued to Petrella et al. (hereinafter "PATRELLA"); 4) USP 5,848,152 issued to Slipy (hereinafter "SLIPY"); and 5) USP 5,982,881 issued to Mischenko (hereinafter "MISCHENKO"). Applicant hereby submits that the subject matter encompassed by the enclosed claims is patentable over any single reference or combination of references cited herein for at least the following reasons:

TRAHAN relates to a radiotelephone containing an integrated electronic retention apparatus enabling an external memory card to make electrical contact to an internal data processing device. The objective of Trahan is to address the need for a card

reader that is physically small, environmentally safe, simply designed, and durable (see e.g. column 1, lines 56-60). To that end, Trahan discloses a SIM chip card reader that is integrated into a radiotelephone, wherein a battery for the radiotelephone retains the SIM chip card in the SIM card reader while the radiotelephone is operating (see e.g. Figure 2 and column 2, lines 33-45).

Although the SIM chip card may be considered an interchangeable electronic component, the SIM chip card is not an interchangeable cover, nor does the SIM chip card contain data stored thereon to facilitate in the tailored thematic operation of the radiotelephone.

KOBAYASHI discloses a pin and pad system for connecting an external memory device (i.e. SIM chip) to a portable telephone set. The SIM chip is attached to the battery body, which is then attached to the phone (see e.g. Figures 5-11). Because the SIM chip can easily be removed from the portable telephone set when the battery is removed, the need for an eject mechanism, which would otherwise complicate the inner structure of the phone, is avoided.

As with Trahan, Kobayashi is concerned with the connection of SIM chips to a mobile/cellular phone. As described above with respect to Trahan, although the SIM chip card may be considered an interchangeable electronic component, the SIM chip card (a) does not contain data associated with a selected one of a plurality of *themes* stored therein to modify/customize operation of the radiotelephone in accordance with the selected *theme*, and (b) is not embedded within an interchangeable covering.

PATRELLA discloses a decorative cover system for portable communication devices wherein various escutcheon elements of multiple color combinations are removable by a user to alter or customize the cosmetic appearance of a portable communication device according to the user's preference. Additionally, Patrella discloses the provision of interchangeable keypads where the keypads can include different appearances for the keys, different colors, and different characters.

Patrella is merely concerned with altering the cosmetic appearance of a portable communication device and does not teach or suggest modified/customized operation of

the portable communication device, let alone modified/customized operation based upon encoded data within an electronic component embedded within an interchangeable cover.

SLIPY discloses a communication device having interchangeable faceplates including first and second faceplates, which are removably attachable to a housing for customizing the appearance of the communication device. At least one of the faceplates includes a movable element such as a keypad cover. A sensor detects the presence of the movable element and provides a detection signal to a controller, which varies the operation of the communication device in response thereto. More specifically, the controller is coupled to the sensor and implements a first set of functions in response to a first state of the detection signal and a second set of functions in response to a second state of the detection signal (see e.g. Abstract, column 13 line 5 through column 14 line 59).

Although Slipy discloses a communication device having interchangeable faceplates (a cover), a sensor, and a controller (processor) to vary operation of the communication device in response to the state of the sensor, Slipy nonetheless differs from the claimed invention in at least the following ways. First, Slipy does not disclose an interchangeable cover including an electronic component having data encoded therein. Additionally, Slipy does not teach or suggest the exchange of data between the interchangeable covering and the communication device, let alone the exchange of data to modify/customize the operation of the communication device in accordance with a theme. Thus, in Slipy the interchangeable covering merely indicates *whether* the operation of the communication device should be altered/modified, whereas in the claimed invention the interchangeable covering (e.g. via the electronic component) indicates *how* the operation of the communication device should be altered/modified.

MISCHENKO discloses a radiotelephone handset having a faceplate to accommodate a plurality of distinctive (cosmetic) telephone appearances, which may be accomplished e.g. "by selecting the contour, shape, size, texture, material and color of a faceplate." Mischenko further discloses an "electrical and mechanical contact" between

individual keys of the keypad (overlay) and control circuitry contained within the base unit (see e.g. column 4, lines 48-64).

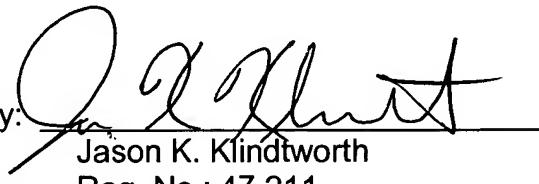
Mischenko is merely concerned with the cosmetic appearance of a telephone and teaches or suggests nothing related to the modified operation of a telephone based upon data stored within an interchangeable covering.

Thus, for at least the reasons set forth above, Applicants submit that the claims submitted in support of the accompanying Petition To Make Special are patentable over the above-cited references.

Respectfully submitted,
COLUMBIA IP LAW GROUP, PC

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